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1867: Private

PUBLIC AND PRIVATE LAWS

OF THE

STATE OF ILLINOIS,

PASSED BY THE

TWENTY-FIFTH GENERAL ASSEMBLY

AT ITS FIRST AND SECOND SPECIAL SESSIONS,

JUNE 11 AND JUNE 14, 1867.

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1867.

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AND JUNE 14, 1867.

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PUBLIC AND PRIVATE LAWS,

PASSED AT FIRST SPECIAL SESSION, CONVENED JUNE 11, 1867.

AN ACT making appropriations for the general and contingent expenses of this special session of the General Assembly. In force June 13, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the following appropriations be and the same are hereby made to the members and officers of the General Assembly of the state of Illinois, at the special session thereof, convened by the proclamation of the governor of said state:

Pay of members and officers of the general assembly.

To the speakers of the senate and house of representatives, each, the sum of three dollars per day for each day's attendance during the continuance of said special session.

Speakers of Senate and H. R.

To each member of the senate and house of representatives, the sum of two dollars per day for each day's attendance during the continuance of the special session aforesaid.

Members H. R.

To each member of the senate and house of representatives, including the speakers of both houses, ten cents per mile for each necessary mile's travel in going and returning from the seat of government.

Members of the Senate.

To the secretary and assistant secretary of the senate, and to the clerk and assistant clerks of the house of representatives, each, the sum of eight dollars per day.

Clerks of Senate and House.

To the enrolling and engrossing clerks and assistant enrolling and engrossing clerks of the senate and house of representatives, each, the sum of eight dollars per day.

Enrolling and engrossing clerks.

To the sergeant-at-arms and assistant sergeant-at-arms of the senate, and door-keeper and assistant door-keepers of the house of representatives, each, the sum of eight dollars per day.

Sergeant-at-arms and assistants—door-keeper and assistants.

To the post-master of the senate, and post-master and assistant post-master of the house of representatives, each, the sum of eight dollars per day.

Postmasters.

To the clergymen of the city of Springfield who have officiated as chaplains at this special session, for each day they shall have respectively officiated, the sum of two dollars per day.

Clergymen.

To the pages of the senate and house of representatives, each, the sum of two dollars per day.

Pages.

Porters. To the porters and policemen appointed by the speakers of the senate and house of representatives, each, the sum of six dollars per day.

Official reporters. To Ely, Burnham and Bartlett, the official reporters of this general assembly, the sum of fifteen dollars [per day] for each of three reporters—the number of days of actual service to be certified by the speakers of both houses.

J. H. Jones, extra reporter. To J. H. Jones, who is hereby declared an extra official reporter of the house of representatives, the sum of fifteen dollars per day for every day of actual service, to be certified by the speaker of the house.

State Journal and State Register. To the publishers of the Illinois State Journal and the State Register, for publishing the proceedings of this special session of the general assembly, each, the sum of five dollars per column of solid nonpareil type—the standard of measure to be the column of Journal—to be certified by the secretary of state and auditor of public accounts.

Certificate of service — how made. § 2. The time for which compensation is hereby allowed to each member and officer of the general assembly shall be certified by the speakers of the respective houses, except the time of the speakers of the senate and house of representatives, which shall be certified, the time of the speaker of the senate by the secretary thereof, and the time of the speaker of the house by the clerk of said house—all of which shall be entered upon the journals, and published as a part thereof; and upon the presentation of said certificate to the auditor, he shall draw his warrants upon the revenue fund for the amounts to which each person shall be entitled, as aforesaid, to be paid by the state treasurer out of the said revenue fund in the state treasury.

This is a public act, and shall take effect from and after its passage.

APPROVED June 13, 1867.

In force June 13, 1867. AN ACT to provide for the assessment and collection of taxes on the shares of capital stock in banks and banking associations.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That hereafter no tax shall be assessed upon the capital of any bank or banking association, organized under the authority of this state, or organized under the authority of the United States and located within this state; but the stockholders in such banks and banking associations shall be assessed and taxed on the value of their shares of stock therein in the county, town or district where such bank or banking association is located, and not elsewhere, whether such stockholders reside in such town, county or district, or not, but not at any

Stockholders—
how to be
taxed.

greater rate than is or may be assessed upon other moneyed capital in the hands of individuals in this state. And in case any portion of the capital of such bank or banking association is invested in real estate, then there shall be deducted, in making the assessment of such shares, from the value of the same, such sum as shall bear the same proportion to the value of such shares, as the assessed value of all such real estate bears to the whole capital stock of such bank or banking association: *Provided*, that nothing herein contained shall be held or construed to exempt from taxation the real estate held or owned by any such bank or banking association, but the same shall be subject to state, county, municipal and other taxation to the same extent and rate, and in the same manner as other real estate is or may be taxed.

Proviso.

§ 2. There shall be kept, at all times, in the office where the business of such bank or banking association, organized under the laws of this state, or of the United States, shall be transacted, a full and correct list of the names and residences of all the stockholders therein, and of the number of shares held by each, and such list shall be subject to the inspection of the officers authorized to assess taxes or to assess property for taxation during the business hours of each day in which business may be legally transacted; and it shall be the duty of each county, town, city or district assessor to ascertain and report to the county clerk of his county, or the other proper officer, as a part of his return of the assessment of property, a correct list of the names and residences of all stockholders in any such bank or banking association located in his county or town, with the number and value of all such shares held by each of them respectively, showing the name of each of such banks or banking associations in which such shares are held; and such return shall also show what deduction, if any, is to be made from the value of such shares on account of the investment of any of the capital stock of such bank or banking association in real estate, as set forth in the first section of this act.

List of stockholders to be kept.

§ 3. The county clerk, or other proper officer, to whom such returns are made shall enter the valuation of all such shares in the tax lists, in the names of the respective owners of the same, and shall compute and extend taxes thereon the same as against the valuation of other moneyed capital, in accordance with the provisions of the first section of this act; and the several collectors of taxes shall have the same authority to collect the taxes so charged that they now have, or may hereafter have, for collecting other taxes: *Provided*, that in all cases where such shares are owned by persons or corporations not residing or located in the county, town or district in which such bank or banking association is located, then the collector of such county, town or district shall have full power and authority to collect such taxes in any

Taxes—how extended.

Proviso.

county, town or district in this state, where such person or corporation may reside or be located.

Action for collection of taxes

§ 4. The collector of taxes, and the officer or officers authorized to receive taxes from the collector, may, all or either of them, have an action to collect the tax assessed on any share or shares of stock owned by non-residents of this state, from the avails of the sale of such share or shares; and the tax assessed against such share or shares shall be and remain a lien thereon till the payment of said tax.

Dividends— for what purpose may be retained.

§ 5. For the purpose of collecting such taxes, and in addition to any other laws, not in conflict with the constitution of the United States, relative to the imposition of taxes, it shall be the duty of every such bank or banking association, and the managing officer or officers thereof, to retain so much of any dividend or dividends belonging to such stockholders as shall be necessary to pay any taxes assessed in pursuance of this act, until it shall be made to appear to such officers that such taxes have been paid; and any officer of any such bank or banking association who shall pay over or authorize the paying over of any such dividend or dividends, or any portion thereof, contrary to the provisions of this section, shall thereby become personally liable for all such tax. And if the said tax shall not be paid, the collector of tax where said bank is located shall sell said share or shares to pay the same, like other personal property.

Shares to be assessed as other property.

§ 6. All assessments of the capital stock of banks organized under the laws of this state, or of the property of such banks, made for state, county or municipal purposes for the year A. D. 1867, by virtue of the laws heretofore in force, are hereby vacated and declared to be void and of no effect; and it is hereby made the duty of the assessors of the several counties and towns, cities or districts in this state in which such banks so organized, or in which any banks or banking association organized under the laws of the United States, are or may be located, to assess the shareholders in the same upon the value of their shares, and to assess the real estate, if any, in which any part of the capital stock of such banks or banking associations is invested, in the same manner and subject to the same regulations, except as provided in this act, as is provided by law for the assessment of other real and personal property, in the same county or town, city or district, such assessment to be made for the year 1867, with regard to the ownership and value of such shares, on the first day of July, 1867, and annually thereafter with regard to the ownership and value of the same on the day which may be specified by the laws in force concerning the assessment of other taxable personal property in this state.

§ 7. This act shall take effect and be in force from and after its passage.

APPROVED June 13, 1867.

AN ACT to authorize the county court of Henderson county to levy a special tax for road and bridge purposes. In force June 13, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the county court of Henderson county be and the same is hereby authorized and empowered to levy a special tax annually for the term of three years, not to exceed thirty (30) cents on each hundred dollars' worth of taxable property in said county, for the purpose of erecting bridges and maintaining the same in said county. Special tax for roads and bridges to be levied.

§ 2. This act shall take effect and be in force from and after its passage.

APPROVED. June 13, 1867.

AN ACT to legalize the proceedings of the electors of the town of Aurora, in the county of Kane and state of Illinois, at the annual town meeting held the second day of April, A. D., 1867, in said town in relation to appropriating money to secure the permanent location of the shops of the Chicago, Burlington and Quincy Railroad Company at Aurora, and for other purposes therein mentioned. In force June 13, 1867.

WHEREAS, April 1st A. D. 1867, the Chicago, Burlington and Quincy Railroad Company, proposed to the people of the town of Aurora, in the county of Kane, and state of Illinois, to permanently locate at said town, its car and locomotive shops, for the purpose of manufacturing, rebuilding and refitting its cars, locomotives and rolling stock; and also, of doing most of the ordinary repairing of the same thereat, and for the purpose of procuring the additional land required for that purpose, it proposed to said people it would purchase the land therefor designated by said company, as the land it needed, (exclusive of what was and is known as the foundery property) estimated at thirty acres should it be more or less, and pay five hundred dollars per acre for it, exclusive of the buildings and improvements thereon, which were to be removed by the owners or the people of said town, and that the town or its citizens, should, by levying and collecting a tax on the taxable property of said town or otherwise, or by voluntary subscription or both, pay the balance of the purchase money of said thirty acres of land, or in any other way aid the said company in obtaining the title to said thirty acres of land, for the purpose aforesaid, without further cost to said company than said five hundred dollars per acre, and its proportion of taxes in case the said balance Preamble.

should be raised, by taxes on the taxable property of said town or otherwise.

WHEREAS, also, it was and is estimated that said thirty acres of land would, and will cost in the purchase thereof, at least fifty thousand dollars over and above the net proceeds arising from the sales of the buildings and improvements thereon, and over and above said five hundred dollars per acre, to be paid by said company for it.

WHEREAS, also, the qualified electors of said town, as well as the other residents and tax payers thereof, believing and having good reason to believe that the permanent location of said shops at Aurora, aforesaid, for the purpose aforesaid, as proposed by said company would greatly enhance the value of the property in said town, and largely and materially promote the prosperity of all public and private interests therein, did at the annual town meeting, held in and for said town, on the second day of April, A. D., 1867, in consideration of the premises, accept the proposition aforesaid of said company, and did then and there resolve among other things, to aid and assist said railroad company to acquire the title of said thirty acres of land, exclusive of said foundery property, which the said company were to take care of as proposed by said company saving to the owners or the people of said town to remove all the buildings and improvements thereon; and the said electors did then and there, also resolve to carry out the purpose aforesaid, as follows, to-wit:

Resolved that we appropriate the sum of fifty thousand dollars for town purposes, to be raised by tax; *And whereas*, the township organization act under which we are now acting at this day, hour and place, gives us the right to take measures and give directions for the exercise of our corporate powers.

Be it therefor resolved, that our town board be vested with full and plenary powers to raise such money by tax, and issue town orders bearing a rate of interest not exceeding ten per cent., having such time to run as in their judgment, they think proper, and if in the judgment of our town board it is best to issue town orders, that such town orders be signed by our supervisor and town clerk, and that said orders be registered and recorded upon the town records in such manner as in the judgment of our town board is necessary, and that the full net sum of fifty thousand dollars, exclusive of delinquencies and expenses, be used and applied toward purchasing the land needed for the permanent location of the shops of the Chicago, Burlington and Quincy Railroad Company in this township, believing and now asserting that such sum is necessary, and that by so doing the public interests and property of this township will be largely and materially advanced; and for the purpose of accomplishing such effect and purpose,

we vest our town board with all the power and authority of every name or kind, which we can or may possess in the premises, and pledging our faith as citizens to stand by, uphold and support all acts and things done by them touching and concerning the premises to the full extent of fifty thousand dollars.

WHEREAS, ALSO, the board of town auditors, in and for said town of Aurora, did afterwards adopt, in pursuance of the said resolutions and the township organization statutes, the following resolutions and proceedings, to-wit: "*Resolved*, by the board of town auditors, of the town of Aurora, that the sum of sixteen thousand six hundred and sixty-seven dollars be levied upon the taxable property of the town of Aurora, for the year A. D., 1867, under the vote of the last town meeting held in said town, relative to raising the sum of fifty thousand dollars for the benefit of said town."

On motion of J. C. Sherwin, (one of said board,) the supervisor and town clerk were instructed to issue town orders for the sum of fifty thousand dollars, in denominations of fifty, one hundred, two hundred and five hundred dollars, bearing ten per cent. interest, payable annually.

WHEREAS, ALSO, it has been doubted by some whether the said electors of said town and the board of town auditors had the power, by and under the law, to do what they have done as aforesaid; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That the said resolutions and proceedings of the electors of said town of Aurora, and also, the said resolutions and proceedings of the said board of town auditors of said town, and the town orders issued in pursuance thereof, and all and singular the acts done, or to be done in pursuance of said resolutions and proceedings or any or either of them, be and the same are hereby confirmed, and in all respects fully legalized; and when the said railroad company shall have acquired title or possession to and of the said thirty acres of land above referred to, the said shops of said railroad company, for the purpose of manufacturing, rebuilding and refitting its cars, locomotives and rolling stock thereat and of doing most of the ordinary repairing of the same, at such shops, shall permanently be and remain at Aurora, aforesaid, according to the true intention, agreement and understanding heretofore had and expressed, and now existing between said railroad company and the people of said town of Aurora.

Proceedings
detailed in
preamble
legalized.

§ 2. That said town of Aurora shall have as ample power and authority to levy and collect taxes on all taxable property of said town, to pay said fifty thousand dollars, so appropriated as aforesaid, and to raise which, for immediate use, the said board of town auditors have directed town orders to be issued bearing ten per cent. interest, payable

Aurora to have
power to assess
taxes for spe-
cified purposes

Proviso.

annually, together with the interest thereon, as the said town have to levy and collect town taxes for any town purpose whatever, and it may be done in the same way and manner: *Provided, however*, that the sum of sixteen thousand six hundred and sixty-seven dollars shall be levied and collected for the year A. D., 1867, and a like sum for the year A. D. 1868, and also the like sum for the year A. D. 1869, together with the interest that shall accrue on each of said sums exclusive of delinquencies and expenses.

City of Aurora
may borrow
money.

§ 3. That should the funds already provided, be insufficient to purchase the said estimated thirty acres of land, then the common council of the city of Aurora, in said town of Aurora, are vested with power, and it is hereby made their duty to borrow such sums of money as shall be necessary for that purpose; and shall issue bonds therefor with such interest as they may deem proper, not to exceed ten per cent per annum: *Provided, however*, as between the east and west divisions of said city the said bonds and the interest thereon, shall be chargeable to and payable out of the funds belonging to the east division; and it shall be the duty of the common council of said city to keep the said funds of the east division sufficiently large to pay such bonds and the interest thereon when the same shall mature; *Provided*, the whole amount of said bonds shall not exceed fifteen thousand dollars.

§ 4. This act shall be in force from and after its passage.
APPROVED June 13, 1867.

In force June 13, 1867. AN ACT to amend an act entitled "An act to incorporate the Mississippi River and Wisconsin State Line Railroad Company," approved February 28, 1867.

Corporators.

Name and style.

Corporate powers.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, That Halstead S. Townsend, Michael Simmons, Thomas Deeds, J. W. White, W. A. Little, G. H. Morse and G. N. Townsend, of Jo Daviess county; James Turnbull, of Stephenson county, and Abraham Polsgrove, of Carroll county, Illinois, and their associates, successors and assigns, are hereby created a body corporate and politic, under and by the name and style of the "Mississippi River and Wisconsin State Line Railroad Company," with perpetual succession, and by that name be and they are hereby made capable in law and equity to sue and be sued, plead and be impleaded, defend and be defended in any court of law or equity in this state, and in all other places whatsoever, and shall also have power to make and have a common seal, and the same to

use, change and renew at pleasure, and shall be and hereby are vested with the power to contract and be contracted with to the full extent that may be requisite to accomplish the objects of this act, and shall also and are hereby vested with all the powers, privileges, franchises and immunities which are in this act mentioned, and which may be necessary to carry into effect the purposes and provisions of this act; and the company hereby created are hereby specially authorized and empowered to locate, construct, equip and operate a railroad from the line between the states of Illinois and Wisconsin, commencing at the northeast corner of fractional section thirteen, in township twenty-nine north, of range six east of the fourth principal meridian, in the county of Stephenson and state of Illinois, or at any point west within eight miles of said northeast corner of fractional section thirteen, and from such point of commencement, running thence westwardly to the Mississippi river at Savannah, in the county of Carroll, in the state of Illinois, or to any point on said river north of said Savannah, and between that place and the latitude of the mouth of the Tete du Mort in the state of Iowa, upon the best and most eligible route between the two points of termini aforesaid, either with a single or double track; and said company are also hereby authorized and empowered to locate, construct, equip and operate a single or double track branch railroad from the aforesaid main line to the city of Galena, in the county of Jo Daviess and state of Illinois; and said company are hereby authorized and empowered to lay out the said railroad and branch railroad and to use lands therefor the whole length thereof to the width of one hundred feet, and at places or points where there shall be crossings or embankments to the width of more than one hundred feet; but of no greater width than shall be necessary beyond such one hundred feet. And the said company may and they are hereby authorized and empowered to take and use from beyond the limits of said one hundred feet, so much earth, gravel, rock or stone as shall be necessary for the proper construction and security of such railroad and branch railroad; but compensation shall be made therefor in the manner hereinafter provided.

Location of the
road.

§ 2. The capital stock of said company shall be in the first instance eight hundred thousand dollars; but the same may, by resolution passed by the board of directors of said company, be increased to any sum not exceeding the sum of two millions dollars. And the whole capital stock shall be divided into shares of one hundred dollars each share. All the powers of said company shall be and hereby are vested in and shall be exercised by a board of seven directors, who, after the first board, shall be elected annually by the stockholders of said company, and at such election every stockholder shall be entitled to one vote for each share of

Capital stock.

Board of direc-
tors.

Vacancies—
how filled.

stock owned and held by him or her; such election for directors shall be holden at the principal office of said company in this state; and at all such elections the stockholders may vote for directors, either in person or by proxy. The directors of said company shall hold their offices, respectively, until their successors are elected and taken upon themselves the duties devolving upon them as such directors. And in case of a vacancy in said board of directors by death, resignation, removal or other cause, the remaining directors of said board may fill such vacancy by the appointment of some other stockholder of said company; and this may be done from time to time, and so often as occasion shall or may require; and the person or persons so appointed shall hold such office term and until his or their successor or successors shall be elected by the stockholders at the annual election hereinbefore provided for, and until such successor or successors shall take upon himself or themselves the duties of the office of directors of said company. And the said board of directors may, by resolution, order or by-law declare when, for what causes or under what circumstances there shall be a vacancy in said board of directors. And no failure or neglect to hold an annual election or to annually elect a board of director shall work a forfeiture of corporate rights or powers, nor shall such failure or neglect dissolve the corporation hereby created. The seven persons first named in this act are hereby constituted the first board of directors; and said first board shall, by the first Monday of January next, by by-law, order or resolution, determine the time of holding the annual elections for directors of said company; and shall also before the first day of October next open, or cause to be opened books for subscriptions to the capital stock of said company, in which books shall be contained the terms of subscription and how, when and in what manner such subscriptions shall be paid by the subscribers thereof. All of which the said board of directors are hereby authorized and empowered to do. And said board of directors shall appoint one of their number president of said company, and shall also appoint a secretary and treasurer, and also such other officers, agents and clerks as shall be deemed necessary by said board; and the powers and duties of all officers, clerks and agents of said company shall be prescribed by resolution or by-law adopted by said board of directors; and said board of directors are hereby fully authorized and empowered to adopt and enforce all such resolutions and by-laws as by it may be deemed proper or necessary for the well being and proper management of the affairs and the due execution of the powers and the proper exercise of the franchises of said company, not inconsistent with or repugnant to the laws and constitution of the state of Illinois or of the United States; and all officers, agents

and clerks of said company may be required by said board of directors to give satisfactory security for the full and faithful performance of the powers and duties devolved upon them respectively.

§ 3. It shall be lawful, and said company is hereby authorized, by their agents, officers, surveyors and engineers, or any of them, to enter upon, make examinations, explorations, surveys, and to locate the line of said railroad and branch railroad authorized to be constructed by this act, and to take and appropriate to their use, own and hold so much land upon and along the line of such railroad and branch railroad to the extent of and not exceeding the width in this act before mentioned upon making compensation as hereinafter provided. And in like manner said company, in addition to the lands which may be required for the road beds of the said railroad and branch railroad and before in this act authorized to be taken, held and owned by said company, may take, hold, appropriate and own to the sole use of said company all such and so much land as may be needed by said company for side-tracks, turn-outs, stations and depots and water tank purposes for the convenient transaction of the business of said company; but compensation for such additional lands shall be made as by this act hereinafter provided.

§ 4. All lands, stone, earth, gravel and other property by this act authorized to be taken, appropriated, held or owned by said company shall be paid for by said company, and in such sums and at such time and manner as shall be agreed upon between said company and the owner or owners of such lands, stone, earth, gravel or other property respectively. And if in any case said company shall, for any cause be unable to make a contract with the owner or owners, prior to the time when said company are ready to commence the construction of said railroad or branch railroad, then in each and every such case the price or sum to be paid by said company shall be determined and fixed in the manner provided in and by the act concerning the right of way, approved March 3, 1845, and the act or acts amendatory thereof, or supplementary thereto, the same as though the said act and amendatory and supplementary acts were incorporated herein as part and parcel of this act.

§ 5. If any person shall willfully, maliciously or wantonly and contrary to law obstruct the passage of any cars, locomotive or other vehicle on said railroad or branch railroad, or shall place anything thereon, or do any act or thing for the purpose of or with the intent to obstruct or impede the passage of any locomotive, car or other vehicle upon said railroad or branch railroad, or shall destroy, break, injure or damage any part of the said railroad or branch railroad, or any of the rolling stock of said com-

May enter upon lands.

Company may take lands, stone, etc.

Penalties for obstructing passage of cars

pany or any of the implements or buildings of said company, or any other of the structures of said company, such person or persons, and every person and all persons who shall aid, assist or abet the so doing, is hereby declared guilty of a misdemeanor, and may be indicted therefor, and upon conviction thereof shall be fined a sum not exceeding five hundred dollars, or sentenced to imprisonment in the county jail for a term not exceeding six months, or by both such fine and imprisonment as the court in its discretion shall think fit. And every such person so offending as aforesaid shall moreover be liable to said company, in an action of debt to three times the damages which said company may sustain by or in consequence of any such aforesaid act or acts, and every such person shall also be further liable in an action on the case to every person who may be injured or whose property may be damaged by or in consequence of any such aforesaid act or acts, and such liability shall be three times the amount of the damage or injury so sustained, and such cause of action shall survive in favor of and against the heirs, executors and administrators of each person as party respectively.

First board of
directors—or-
ganization, etc

§ 6. The first board of directors shall formally organize said company by selecting and designating one of their number president of said company, and by appointing a secretary and treasurer thereof, by the first day of October next. After the first board of directors, no person shall be elected or appointed a director who is not a stockholder, and upon ceasing to be a stockholder, his office of director shall be deemed vacant. The aforesaid organization shall be certified by said directors, or a majority of them, over their signatures in the record book of said board, and said certificate shall be sufficient evidence of such organization, and a copy thereof, certified by the secretary, under the seal of said company, shall be, and hereby is declared primary evidence in all courts of this state of the facts therein stated.

Transportation
of persons and
property.

§ 7. Said company are hereby authorized to carry or transport upon said railroad and branch railroad persons, merchandise and all other kinds of property, by force or power of steam or other mechanical power, or by power of animals, or by any combination of such powers, and are hereby also authorized and empowered to, from time to time, fix and establish, take and receive such rates or tariffs of fare or tolls, for the transportation of freight and persons over or upon said railroads and each of them, as shall be deemed proper by the board of directors of said company.

Intersection
with other
roads, etc.

§ 8. Whenever it shall be necessary, in the construction of the railroad or branch railroad by this act authorized to be constructed, to intersect or cross the track of any other railroad, or of any common road or highway, or of any stream of water or water course, it shall be lawful for said

company to construct their said railroads across or upon such other railroads, common road, highway, stream of water or water course, but said company shall restore the same in such sufficient manner as to not materially impair the usefulness of such crossed or intersected other railroad, common road, highway, water course or stream of water.

§ 9. Said company are hereby authorized and empowered to unite and, in connection, operate their railroad and branch railroad with any other railroad now constructed or which may hereafter be constructed within this state or the states of Iowa and Wisconsin, terminating on either of the lines between those states and this state, upon such terms as may be mutually agreed upon between the companies whose railroads shall so unite or connect; and for that purpose full power is hereby given the company by this act created to make, execute and deliver to such contracts with such other companies as will secure the objects contemplated in and by this section.

May unite with other roads.

§ 10. Said company are hereby authorized and empowered to borrow money, not exceeding the sum of two million dollars, at a rate of interest not exceeding ten per centum per annum, payable annually or semi-annually, and for such length of time, not exceeding twenty years, as shall be determined by the board of directors of said company, and therefor may make, execute and deliver the bonds of said company, either with or without interest warrants or coupons annexed, and with or without a provision therein that the same may be at par converted into the stock of said company, at the option of the holder or holders, in case such option shall be signified, in writing, to the company at its principal office in this state, at least three years before the maturity of such bonds; and to secure the payment of the principal sum and the interest in said bonds specified, said company are hereby authorized and empowered to mortgage its franchises, lines of railroad, in divisions or the whole length thereof, the net income thereof or therefrom, and all and singular the other property and rights and interests to and in property of the said company; and the substance and form of such bonds and mortgage or mortgages shall be determined by the board of directors of said company, and shall be contained in a resolution spread in full upon the records of said company and adopted, and as adopted by said board. Said bonds may be sold under the direction of said board of directors, within or without this state, at such rates or prices as will, in the opinion of said board of directors, best advance the interest of said company in the consummation of the objects contemplated by this act. The sale of said bonds, or any of them, at a rate less than the par value thereof, is hereby declared legal, and by means of such discount sale none of the said bonds shall be in any way impaired or invalidated, but the whole

May borrow money, issue bonds and mortgage property, etc.

of said bonds shall be as legal, valid and binding upon said company as though the same had been sold at par value.

Compensation—
how made, in
certain cases,
for land taken

§ 11. Whenever the lands of any *femme covert*, person under age, non compos mentis or out of this state shall be taken by said company for or in the construction of the railroad or branch railroad by this act authorized to be constructed, said company shall pay the amount that shall be awarded as compensation to any such owner or owners of such last aforesaid lands, respectively, whenever the same shall be lawfully demanded of said company, together with interest thereon at the rate of six per centum per annum, recovered from the date of such award. Such compensation shall be estimated, assessed and awarded in the manner now in such cases provided by law.

Quorum.

§ 12. Four directors of said company shall be a quorum for the transaction of or the doing any business or act; and the determination or act of the majority of those present, when not less than a quorum, shall be as legal, valid and binding upon said company as though such act or determination were the unanimous act or determination of the whole seven directors constituting the board of directors of said company.

Work to be com-
menced within
five years, &c.

§ 13. The construction of the railroad authorized to be constructed by this act shall be commenced within five years, and the same railroad shall be finished within ten years from the taking effect hereof.

Public act.

§ 14. This act is hereby declared a public act, and the same shall be favorably construed in all the courts of this state; and all the provisions of the act to which this is an amendment, which conflict with the provisions of this act, shall be and the same are hereby repealed.

APPROVED June 13, 1867.

DEPARTMENT OF STATE, SPRINGFIELD, ILLINOIS,

September 1, 1867.

I, Sharon Tyndale, secretary of state of the state of Illinois, do hereby certify that the foregoing printed laws are true and perfect copies of the enrolled laws on file in this office, with the exception of the words printed in brackets thus, [].

In testimony whereof I hereunto set my hand, the day and year aforesaid.

SHARON TYNDALE,

Secretary of State.

PUBLIC AND PRIVATE LAWS,

PASSED AT SECOND SPECIAL SESSION, CONVENED JUNE 14, 1867.

AN ACT making appropriations for the general and contingent expenses of the second special session of the General Assembly. In force June 28, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That the following appropriations be and the same are hereby made to the members, officers and employees of the general assembly of the state of Illinois, at the third session thereof, convened by the proclamation of the governor of said state:

To the speakers of the senate and house of representatives, each, the sum of three dollars per day for each day of this session. Speakers.

To each member of the senate and house of representatives the sum of two dollars per day for each day of this session, commencing June 14, 1867, and extending to and including the day on which this general assembly shall adjourn *sine die*. Members.

To each member of the senate and house of representatives, including the speakers of both houses, ten cents per mile for each necessary mile's travel in going to and returning from the seat of government. Mileage.

To the secretary and assistant secretaries of the senate, and to the clerk and assistant clerks of the house of representatives, each, the sum of eight dollars per day for each day of this session. Secretaries and clerks.

To the enrolling and engrossing clerks and assistant enrolling and engrossing clerks of the senate and house of representatives, each, the sum of eight dollars per day. Enrolling and engrossing clerks.

To the sergeant-at-arms and assistant sergeant-at-arms of the senate, and door-keeper and assistant door-keepers of the house of representatives, each, the sum of eight dollars per day. Sergeant-at-arms and door-keeper.

To the post-masters and assistant post-masters of the senate and house of representatives, each, the sum of eight dollars per day. Postmasters.

- Clergymen. To the clergymen of the city of Springfield who have officiated as chaplains at this special session, each day they shall have respectively officiated, the sum of two dollars.
- Pages. To the pages of the senate and house of representatives, each, the sum of two dollars per day.
- Police and porters. To the police officers and porters appointed by the speaker of either house, the sum of six dollars per day, each.
- John Jackson, for cleaning closets. To John Jackson, for presiding over the subterranean regions, and for attendance and cleaning of closets, the sum of four dollars per day, to be certified by the secretary of state.
- State Journal and Illinois State Register. To the publishers of the Illinois State Journal and Illinois State Register, for publishing the proceedings of this general assembly, each, the sum of five dollars per column of solid nonpareil type—the standard of measure to be the columns published in said Journal; to be certified by the secretary of state and auditor of public accounts.
- J. H. Jones, extra reporter. To J. H. Jones, extra official reporter, for reporting in the house of representatives for two days of this session, the sum of thirty dollars.
- Official reporters to penitentiary committee. To Ely, Burnham and Bartlett, official reporters of the general assembly, the sum of one hundred and forty-five dollars and fifty cents, being for reporting the evidence taken by the special joint committee on penitentiary in their investigation at Joliet, and for writing out said evidence from their short-hand notes, according to their contract with said special joint committee, amounting to three days' reporting, at ten dollars per day, and copying four hundred and sixty-two pages of legal cap, at twenty five cents per page.
- Official reporters for senate and house. To Ely, Burnham and Bartlett, the official reporters of this general assembly, the sum of fifteen dollars per day for each of four reporters, (being two in each house)—the number of days of actual service to be certified by the speakers of each house.
- Special committee on penitentiary. To each member of the special joint committee on penitentiary, for expenses incurred by them in visiting Joliet and procuring testimony in regard to the penitentiary, each, the sum of fifty dollars, except to the chairman of said special committee, who shall receive the sum of one hundred dollars.
- S. G. Paddock, expenses, etc. To S. G. Paddock, clerk of the house of representatives, for expenses incurred in attending special joint committee at Joliet, and procuring witnesses, the sum of fifty dollars.
- Assistant post-master to the senate. To the assistant post-master of the senate, eight dollars per day for three days' extra services.
- Compensation—how certified. § 2. The time for which compensation is hereby allowed to each member, officer and employee of this third session of the twenty-fifth general assembly shall be certified by the speakers of the respective houses, unless where other-

wise provided, and except the time of the speakers of the respective houses, the senate and house of representatives, which shall be certified by the secretary of the senate and the clerk of the house of representatives—all of which shall be entered upon the journals, and published as a part thereof; and upon the presentation of said certificates to the auditor, he shall draw his warrant upon the revenue fund for the amounts to which each member and officer and employee, afore-said, shall be entitled, to be paid by the state treasurer out of said revenue fund in the treasury.

§ 3. This act shall take effect and be in force from and after its passage.

APPROVED June 28, 1867.

AN ACT to provide for the management of the Illinois State Penitentiary in force June 28, 1867.
at Joliet.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That there shall be appointed by the governor, by and with the advice and consent of the senate, three penitentiary commissioners, who shall hold their office until the first Monday in January, A. D. 1869. At the next regular election of representatives in the general assembly there shall be elected by the qualified voters of the state, three penitentiary commissioners, who shall succeed the commissioners appointed by the governor as aforesaid, and who shall enter upon the duties of their office on the first Monday in January, A. D. 1869. Said commissioners, so elected, as aforesaid, shall hold their office, one for the term of two years, one for the term of four years, and one for the term of six years, to be determined between them by lot, before entering upon the duties of their office; and biennially thereafter there shall be elected, at the regular election of representatives in the general assembly, by the qualified voters of the state, one penitentiary commissioner, who shall hold his office for the term of six years.

Governor to appoint commissioners.

Term of office.

§ 2. Each of said commissioners shall take and subscribe an oath or affirmation to support the constitution of the United States and of this state, and to diligently and faithfully discharge the duties of penitentiary commissioner; and also the oath or affirmation prescribed by section twenty-six, article thirteen of the constitution of this state; and each of the said commissioners shall enter into a bond to the people of the state of Illinois in the penal sum of fifty thousand dollars, with good and sufficient surteies, to be approved by the governor and auditor of public accounts,

Shall take oath.

conditioned for the faithful performance of his duties as penitentiary commissioner; and the governor and auditor of public accounts upon discovering any default or delinquency on the part of said commissioners or either of them, or upon the application of any surety on said bond, shall have power, and it shall be their duty, at any time to require additional security or a new bond of said commissioners or either of them, and the state shall have a lien upon the real property of the principal in said original and supplementary bonds, from the time of the execution and approval of the same, which bond and oath or affirmation shall be filed in the office of the secretary of state before such commissioner shall enter upon the duties of his office.

Commissioner
not to be con-
tractor, etc.

§ 3. No person shall be appointed or elected to the office of penitentiary commissioner who is a contractor in the penitentiary, or the agent or employee of any such contractor, or who is interested, either directly or indirectly, in any kind or branch of business in said penitentiary, or who shall at the time hold any other office under the laws of this state, and no such commissioner shall hold any other office or accept any appointment under this or any law of this state during his continuance in office as such commissioner; and in case any such commissioner shall become so interested, either directly or indirectly, at any time during his term of office, or shall accept of any other office or appointment under the laws of this state, or who shall be guilty of any delinquency in the discharge of his duty, misconduct in office or any other cause which materially affects his usefulness or fidelity, it shall be cause for his removal from said office; and upon satisfactory information given of such fact or facts the governor is hereby authorized and required to remove such commissioner—which removal and the cause thereof shall be reported by the governor to the next general assembly. And in case of such removal, or of any other vacancy in the office of penitentiary commissioner, by death, resignation, failure or refusal to act, or otherwise, such vacancy shall be filled by appointment by the governor until the next regular election of representatives in the general assembly, and the qualification of the person so elected; and at such election a commissioner shall be elected to fill such vacancy. The governor shall not remove from office any commissioner for any of the causes alleged in this section of this act, unless upon information of some credible person verified by his or her affidavit, that some one or more of such causes exist; whereupon the governor shall, if he deem it necessary, suspend such commissioner from the further exercise of the duties of his office, until after the examination hereinafter provided for. Upon such suspension by the governor he shall immediately notify the commissioner complained of, of the making of such complaint, and appointing a time and place

Governor may
suspend com-
missioners.

not less than thirty nor more than sixty days from the date thereof: *Provided*, that service of such notice shall be at least ten days prior to the examination, when and where the governor of the state will hear testimony for and against the commissioner complained of. Such notice shall be served as ordinary summons is, except that in case such commissioner shall have fled from the state, the notice may be left at the last residence, within this state, of such commissioner. At such time and place the commissioner complained of may be represented by counsel, and may introduce testimony in his behalf. Such examination shall be public and shall be confined to the causes alleged in such information and notice. Upon the close of such examination the governor shall restore to office or permanently remove therefrom such commissioner.

§ 4. It shall be the duty of the penitentiary commissioners, appointed under the provisions of this act, on the thirtieth day of June, A. D. 1867, or as soon after their appointment as practicable, to proceed to the Illinois state penitentiary, located at Joliet, in the county of Will, and for and on behalf of the state of Illinois, to take immediate and full possession of said penitentiary and the convicts therein, and all the machinery, fixtures, goods, chattels and property in and about said penitentiary, belonging to the state of Illinois, or in which said state is in any way or manner interested, and keep and hold the same for and on behalf of said state, and to make all necessary provisions for the feeding, clothing, guarding and safe keeping of said convicts; and said commissioners shall thereafter have the general charge, superintendence, management and control of said penitentiary and of the convicts therein.

To take possession of penitentiary.

§ 5. The said penitentiary commissioners, or a majority of them, shall appoint a warden of said penitentiary, who shall hold his office for the term of six years, unless sooner removed by said commissioners; but in case of such removal the reasons therefor shall be entered upon the journal of said penitentiary. The warden, before entering upon the duties of his office, shall take and subscribe an oath or affirmation to support the constitution of the United States and of this state, and to diligently and faithfully discharge the duties of his office; and also the oath or affirmation prescribed by section twenty-six, article thirteen of the constitution of this state. And he shall also enter into a bond to the people of the state of Illinois, in the penal sum of twenty-five thousand dollars, with good and sufficient sureties, to be approved by the governor and by the said commissioners, or a majority of them, conditioned for the faithful performance of the several duties which are hereby or which may from time to time be required of him by law; which said bond, and oath or affirmation, shall be deposited in the office of the secretary of state.

Warden to be appointed—to take oath and give bond.

Deputy warden,
clerk and
steward to be
appointed.

Matron, etc.

Contractor or
employee of
contractor not
to be clerk, etc

Commissioners
to meet month-
ly, make ex-
aminations, etc

§ 6. The warden shall have power, by and with the advice and consent of the commissioners, or a majority of them, to appoint a deputy warden, clerk and steward, who shall each be required to take and subscribe the usual oath of office, and give bond to the people of the state of Illinois in the penal sum of three thousand dollars, with good and sufficient sureties, to be approved by said commissioners, or a majority of them, conditioned for the faithful discharge of the duties of their respective offices. Said deputy warden, clerk and steward shall be subject to removal by said warden, and they shall perform such duties as shall be required of them by said warden, or which may be required of them by the rules, orders and regulations of said commissioners. Said warden shall also employ such number of assistant keepers and guards as shall be necessary, who shall at all times be subject to his orders, and perform such duties as he shall require of them. Said warden shall also appoint a matron, and such assistant matrons as may be necessary, not exceeding one for each twenty-five female convicts in said penitentiary, who shall perform such duties in respect to said female convicts as said warden may require of them. No person shall be appointed warden or deputy warden, clerk or steward, or to any other employment in the penitentiary, under this act, who is a contractor in the penitentiary or the agent or employee of any such contractor, or who is interested either directly or indirectly in any kind or branch of business carried on in such penitentiary, or who shall at the time hold any other office under the laws of this state. And no such warden, deputy warden, clerk or steward, or other employee, shall hold any other office or accept any other appointment under this or any other law of this state during his continuance in such employment. And in case any such warden, deputy warden, clerk, steward or other employee, shall become so interested either directly or indirectly at any time during the term of his employment, or shall accept any other office or appointment under the laws of this state he shall be removed by the said commissioners.

§ 7. It shall be the duty of said commissioners to meet at said penitentiary at least as often as once in each month, and as much oftener as the proper control and superintendence of said penitentiary shall require. They shall examine and inquire into all matters connected with the government, discipline and police of said penitentiary, the punishment and employment of the convicts therein confined, the money concerns and contracts for work, and the purchase and sales of the articles provided for said penitentiary or sold on account thereof. They shall make and put in force all such general rules, regulations and orders, for the government and discipline of said penitentiary, as they may deem expedient, and may, from time to time, alter and

amend the same; and in making such rules and regulations it shall be their duty to adopt such as in their judgment, while consistent with the discipline of the penitentiary, shall best conduce to the reformation of the convicts. They shall make all necessary and suitable provisions for the employment of said convicts, subject to the limitations and provisions hereinafter contained. They shall inquire into any improper conduct which may be alleged to have been committed by the warden, or other officers or employees of said penitentiary, and for that purpose may issue subpoenas and compel the attendance of witnesses, and the production before them of writings and papers, and may examine any witnesses, on oath, who shall appear before them.

§ 8. They shall require reports from the warden and other officers of said penitentiary in relation to any and all matters connected with the management, operations, business, government, discipline and property of said penitentiary, and with the condition, conduct and employment of the convicts confined therein; and they shall make a biennial report to the governor of the state and condition of said penitentiary and convicts; of all moneys expended and received, and on what account expended and received; of all contracts entered into during the two preceding years, for the employment of convicts, or for furnishing of supplies, or for any other purpose, and the terms of such contracts, stating what portion of each contract has been performed, and the several sums of money received or expended thereon; and shall also include in said biennial report an abstract of all reports made to them by the officers of said penitentiary, during the preceding two years.

Reports from
warden and
other officers.

§ 9. They shall keep regular minutes of their meetings and proceedings at said penitentiary, and shall cause the same, together with all orders, rules and regulations adopted by them, to be entered and recorded in a book which shall be kept for that purpose, in said penitentiary.

Commissioners
to keep minutes.

§ 10. They shall prescribe the articles of food and the quantities of each kind which shall be provided for said convicts, and shall determine the number of hours per day during which said convicts shall be required to labor.

Food for convicts to be prescribed by the commissioners

§ 11. They shall cause a full and accurate inventory and appraisement of all and singular the machinery, fixtures, goods, chattels and property of every description belonging to the state, in and about said penitentiary, to be made under oath, by two or more competent appraisers, to be appointed for that purpose by said commissioners, and immediately make an inventory of all the machinery, fixtures, goods, chattels and property of every description, and at least once in each year thereafter, and shall cause a copy of such inventory and appraisement to be filed in the office of the auditor of public accounts, and another copy thereof, to be appended to their biennial report to the governor.

Inventory, etc.

Warden to reside in penitentiary, etc.

§ 12. It shall be the duty of the warden to reside in and attend constantly at the penitentiary, except when absent on some necessary duties connected with his office, in which case his duties at said penitentiary shall, during such absence, be performed by the deputy warden; and in no case shall the warden and deputy warden be absent from the penitentiary at the same time.

Warden to exercise general supervision, make daily examinations, general orders etc.

§ 13. The warden shall exercise a general supervision over the government, discipline and police regulations of said penitentiary, in accordance with the orders, rules and regulations of said commissioners; and shall see that such orders, rules and regulations are duly enforced; and shall give the necessary directions to the officers and guards, and examine whether they have been careful and diligent in the discharge of their several duties. He shall examine daily into the state of the penitentiary, and into the health, condition and safe keeping of the convicts, and shall inquire into the justice of any complaints made by any of the convicts relative to their provisions, clothing and treatment. He shall make such general orders or rules for the government of the subordinate officers and employees of said penitentiary as he may deem proper, subject to the approval of said commissioners. Such rules and orders shall be in writing, and shall be entered in a book to be kept by the warden for that purpose, and shall be subject to any alteration or amendment by said commissioners.

Warden to keep daily journal.

§ 14. The warden shall keep a daily journal of the proceedings of the penitentiary, in which shall be entered a note of every infraction of the rules and regulations of the penitentiary, by any officer or employee thereof, which shall come to his knowledge, or by any convict in said penitentiary; and of every punishment inflicted on a convict, the nature and amount thereof, and by whom inflicted; and, also, a memorandum of every well-founded complaint, made by any convict, of bad or insufficient food, want of clothing, or cruel or unjust treatment. Such journal shall be kept open at all times for the inspection of the commissioners.

Monthly report.

§ 15. He shall make a monthly report to the commissioners, stating the names of all convicts received into the penitentiary during the preceding month; the counties in which they were tried; the crimes of which they were convicted; the nature and duration of their sentences; their former trade, employment, or occupation; their habits, color, age, place of nativity, degree of instruction, and a description of their persons; and also stating in such report the names of all the convicts pardoned or discharged during the preceding month, and all other particulars in relation to the persons so pardoned or discharged that are required to be stated in relation to convicts received into

the penitentiary; and he shall also make all such other reports as shall be required of him by said commissioners.

§ 16. The warden shall attend to the fiscal concerns of the penitentiary, under the direction of said commissioners, and shall use his best endeavors to defray all the expenses of the penitentiary by the labor of the convicts. He shall superintend the labor of the convicts when employed in manufactures or other work on behalf of the state, and shall act under the direction of said commissioners in making contracts for the employment of the labor of the convicts, and for furnishing the necessary supplies for their support, and in purchasing such raw material as may be required to be manufactured by convict labor, and in taking charge of the articles manufactured, and selling and disposing of the same for the benefit of the state. Fiscal affairs.

§ 17. He shall render to said commissioners, on the first day of each month, a full and accurate account of all moneys received by him, and all sums of money expended by him, during the preceding month—showing on what account received and expended—and shall accompany said report with proper vouchers of all of said expenditures; which report shall be verified by the oath of the warden. Monthly financial report.

§ 18. He shall take charge of all money and other articles of property which may be brought to the penitentiary by the convicts, and cause the same, immediately on the receipt thereof, to be entered among the receipts of the prison; which money or other articles, whenever the convict from whom the same was or were received shall be discharged from the penitentiary, or the same shall be otherwise legally demanded, shall be returned by the warden to such convict or other person legally demanding the same. He shall also furnish each convict who shall be discharged from the penitentiary, by pardon or otherwise, with a suitable suit of citizens' clothing, and shall also furnish such convict with transportation and a sufficient sum of money to pay his reasonable expenses to the place of his conviction; but said warden may, in his discretion, pay to such convict the equivalent of such transportation money. To take charge of money and property.

§ 19. Said warden shall preserve in the penitentiary a set of all official reports made to the governor respecting said penitentiary, and a set of similar reports in relation to the penitentiaries of other states, so far as he shall be able to obtain the same; and for which purpose a suitable number of the reports of said penitentiary, when printed, shall be supplied to him by the secretary of state, to exchange with the penitentiaries of other states. To furnish discharged convicts clothing and money.

§ 20. The said commissioners shall have power and they are hereby required to appoint a chaplain for said penitentiary, whose duty it shall be— Reports made to governor.

Powers of commissioners.

First.—To perform religious services in the penitentiary under such regulations as the commissioners may prescribe, and to attend the spiritual wants of the convicts.

Second.—To visit the convicts in their cells for the purpose of giving them religious and moral instruction.

Third.—To furnish at the expense of the state a bible to each convict.

Fourth.—To take charge of the library and take care that no improper books are introduced into the cells of the convicts, and if any such books shall be found either in the cells or in the possession of the convicts, to take away and return the same to the commissioners; and for the purpose of properly discharging these duties, to visit, weekly, each cell in the penitentiary. Such books, so taken away from said convicts, shall not be returned to them without the express order of said commissioners.

Fifth.—To visit daily the sick in the hospital.

Sixth.—To make an annual report to the commissioners, up to the 1st day of December, relative to the religious and moral conduct of the convicts during the preceding year, stating therein what services he shall have performed, and the fruits, if any, of his instructions, together with any other facts relative to said convicts which he may see proper to report. It shall be the duty of the chaplain, when required by the commissioners, to give instruction in the useful branches of an English education to such convicts as in the judgment of the warden may require the same, and be benefited thereby, and be entitled to the same by previous good conduct. Such instruction may be given for such length of time daily as said commissioners shall prescribe, Sunday excepted, between the hours of six (6) and nine (9) P. M.

Chaplain's duty
To make quarterly reports, etc.

§ 21. The chaplain shall make a quarterly report to the commissioners, in case such instruction shall be given, stating the number of convicts that have been instructed during the last quarter, the branches of education taught, the text books used, the progress made by the convicts, and note especially any cases in which unusual progress has been made by a convict.

Labor of convicts to be hired out.

§ 22. It shall be the duty of said commissioners forthwith, after taking possession of said penitentiary, to advertise for sealed bids or proposals for the hire of the labor of the convicts in said penitentiary, in such numbers and for such period as they may think advisable, not exceeding two years, such advertisement to be published at least thirty days in two daily papers published in the city of Chicago, two daily papers published in the city of Springfield, and two daily papers published in the city of St. Louis, specifying the number to be employed; and at the expiration of said term of thirty days, said commissioners may open said bids, and enter into contracts for working the convicts upon

such branches of business as, in their judgment, will best subserve the interests of the state and tend to promote the welfare of the convicts. All contracts for working convicts shall be given to the highest bidder, if the price bid shall be a fair and reasonable compensation for the labor of the convicts. Each bid shall be accompanied by a bond, with good and sufficient sureties, in such sum as the commissioners shall determine, conditioned, that in case the bid is accepted by the commissioners, the persons making the same will execute a bond, with good sureties, as aforesaid, conditioned for the faithful performance of such contract on their part, and no bid or proposals shall be received unless such bond accompany the same.

§ 23. If the bids made should be less than a fair and reasonable compensation for the labor thus bid for, the commissioners may, at their discretion, decline to contract at the rates offered, and shall immediately thereafter proceed again to advertise for a new letting, as before; and shall so continue to advertise the letting of contracts until the same shall be successful. And in the meantime all convicts not contracted for according to the provisions of this section, shall be hired or otherwise employed, by the commissioners and warden, in such manner as they may deem most conducive to the interests of the state. Such employment shall be regarded as temporary, to terminate at any public letting.

Bids to be rejected in certain cases.

§ 24. The said commissioners are hereby authorized to employ the labor of any of the convicts, which for the time being shall not be hired out, in completing the penitentiary building and grading and improving the grounds within and appurtenant to said penitentiary, according to the plans and specifications heretofore adopted; and said commissioners are further authorized at any time hereafter to employ the labor of any of said convicts which, for the time being, shall not be let, upon any other public works or buildings which the state may hereafter be in process of erecting, so far as such work can be advantageously performed at said penitentiary.

Commissioners to employ convict labor, etc.

§ 25. Said commissioners are hereby authorized to contract for provisions, clothing, medicines, forage, fuel and other supplies for the penitentiary, for any period of time not exceeding one year, and such contract shall be given to the lowest bidder, at a public letting thereof, if the price bid is a fair and reasonable one, and not greater than the usual market value and price. Each bid shall be accompanied by a bond in such penal sum as said commissioners shall determine, with good and sufficient sureties, conditioned for the faithful performance of the terms of such contract. Notice of the time, place and conditions of the letting of each contract shall be given, for at least four consecutive weeks, in two daily newspapers in the city of Chicago, and

To contract for supplies.

in such other papers as the commissioners may deem expedient. If all the bids made at such letting are deemed unreasonably high, the commissioners may, in their discretion, decline to contract, and may again advertise for proposals, and may so continue to renew the advertisement until satisfactory contracts may be had; and in the meantime the commissioners may contract with any one whose offer may be regarded just and proper; but no contract thus made shall be let to run more than sixty days, or shall in any case extend beyond the public letting. No bids shall be accepted, and a contract entered into, in pursuance thereof, where such bid is higher than any other bid made at the same letting for the same article, and where a contract can be had at such lower bid. When two or more bids for the same article are equal in amount, the commissioners may select the one which, all things considered, may by them be thought best for the interests of the state, or may divide the contract between the bidders as in their discretion may seem proper and right: *Provided*, no contract shall be given, or purchase made, where either of the commissioners or any of the officers of the penitentiary is interested. All contracts or purchases made in violation of this provision shall be void.

Commissioners
to apportion
labor to con-
victs on cer-
tain terms.

§ 26. It shall be the duty of the commissioners, whenever they shall deem it expedient, to so make contracts for letting the labor of convicts as to permit each convict who performs his task in a workmanlike manner to have a certain amount of labor allotted him each day for a day's work, and the time gained after the performance of such task may be occupied in labor for contractors—the labor to be at the same rate the contractors pay the state for the same work, or at such rate not less than that which may be agreed upon between such contractors and convicts; and if any convict who shall have so made over-work shall, for any cause, be unable to make full work on any other day or days, no deduction shall be made from his over-work earnings on that account. It shall be the duty of the officer in immediate charge of the convicts to take daily account of the over-work so made, and to return the same to the clerk at the end of each month. The money so earned shall be paid to the said commissioners, and shall be collected the same as money due the state from the contractors; and an accurate and detailed account of all such moneys, by whom earned, time when, amount, and to whom payable, shall be kept, under the direction of the commissioners, in a book provided for that purpose; and they shall also cause the same to be entered monthly in a pass-book, which the convict may keep for that purpose.

Contracts to pay
amount of over
work of con-
victs to com-
missioners.

§ 27. It shall be the duty of the contractor, at the close of each month, to pay the commissioners the aggregate amount then in his hands belonging to the several convicts

for over-work. The commissioners shall receive and receipt for the money the same as for other moneys due from such contractors to the state. The commissioners shall open and keep an account with the fund to be denominated the "convicts' over-work fund." Each convict, at the close of his term, may draw from the commissioners his proportion of said fund. Such convict may at any time, with the approbation of the warden, draw from the commissioners the amount due him from the said fund, or any part thereof, for the purchase of books or magazines, for the use of the convict; which said books or magazines shall be purchased for the convict by or under direction of the warden at the lowest cash price at which they may be obtained of the publishers, for which no commission shall be charged; but no cost shall accrue to the state for postage or other expenses which may arise under this section. The convict may also, in the manner above provided, at any time draw money which is due him for the purpose of transmitting the same to his family or friends, for their use, or to be invested for him; but for any other use the convict is hereby prohibited from drawing money from said fund until his release.

§ 28. Facilities for attending religious services regularly on Sunday shall be afforded each convict, so far as the same can be done judiciously, and upon no pretext shall a convict, on contract, be required to labor on Sunday, nor shall any convict be compelled to do other than necessary labor for the state on that day.

Religious services for convicts.

§ 29. The said commissioners shall appoint a physician for said penitentiary, whose duty it shall be—

Physician to be appointed—his duties.

First—To attend, at all times, to the wants of the sick convicts, whether in the hospital or in their cells, and to bestow upon the same all necessary medical service.

Second—To examine, weekly, the cells of the convicts for the purpose of ascertaining whether they are kept in a proper state of cleanliness and ventilation, and report the same, weekly, to the warden.

Third—To examine, at least once in each week, and oftener if he think proper, into the quality and state of the provisions provided for the convicts; and whenever he shall have reason to believe that any of such provisions are prejudicial to the health of the convicts, he shall immediately make report thereof to the warden. He shall also have power, and it shall be his duty, to prescribe the diet of sick convicts, whether in the hospital or in their cells, or elsewhere, and his directions in relation thereto shall be followed by the warden.

Fourth—To keep a daily record of all admissions to the hospital, and of cases treated in the cells or elsewhere, indicating the sex, color, nativity, age, occupation, habits of life, crime, period of entrance and discharge from the hos-

pital, disease, and the prescriptions and treatment of each case.

Fifth—To make report, monthly, to the commissioners, of patients received into the hospital, or treated in the cells, or elsewhere, during the month, stating their respective ages, color, disease, occupation in prison, quantity and kind of medicine administered during the month, time they shall have remained in hospital, date of commencement and termination of treatment, number of deaths (stating the cause of such deaths), and the number of days during which such convicts, in consequence of such sickness, shall have been relieved from labor.

Sixth—To make a yearly report to the commissioners of the sanitary condition of the penitentiary for the past year, in which all the information contained in his daily record and his monthly reports shall be condensed.

§ 30. It shall be the duty of said physician, in case of any convict claiming to be unable to labor by reason of sickness, to examine such convict; and if it is his opinion, upon such examination, that such convict is unable to labor, he shall immediately certify the same to the warden, and such convict shall thereupon be relieved from labor and admitted to the hospital, or placed in his cell, or elsewhere, for medical treatment, as said physician shall direct, having a due regard for safe keeping of such convict; and such convict shall not be required to labor so long as, in the opinion of said physician, such disability shall continue; and whenever said physician shall certify to the warden that such convict is sufficiently recovered to be able to labor, said convict shall be required to labor, but not before.

§ 31. The annual salaries of the officers of said penitentiary shall be as follows:

That of the commissioners, each fifteen hundred dollars.

That of the warden, twenty-five hundred dollars.

That of the deputy warden, eighteen hundred dollars.

That of the clerk, one thousand dollars.

That of the steward, eight hundred dollars.

That of the chaplain, twelve hundred dollars.

That of the physician, one thousand dollars.

The matron, assistant matron, assistant keepers and guards, and all other employees of the penitentiary, shall be paid such sum per month as said commissioners shall direct.

§ 32. In case said commissioners are unable to lease the labor of said convicts or of any portion of said convicts at reasonable rates, after having advertised for proposals for bids for such labor at least for two periods of thirty days, as hereinbefore provided; and if the same can not be advantageously employed in completing the penitentiary buildings and grounds, or upon other public works or buildings in process of erection by the state, it shall be lawful for said commissioners, and it is hereby made their duty to

Salaries:

Commissioners
to procure
tools and em-
ploy convicts
in certain cases

provide for the employment of the labor of such convicts in said penitentiary in such manufacturing or mechanical business, on behalf the state, as in their judgment will be most remunerative to the state; and for that purpose said commissioners are hereby authorized to procure on behalf of the state, in case it shall become necessary to so employ such convict labor, all necessary tools, machinery and fixtures for the carrying on such mechanical or manufacturing business by said convict labor, and said commissioners shall in such case provide for the purchase of all necessary unmanufactured material so as to keep the convicts so employed, continually supplied therewith, and for the most advantageous disposition and sale for the state of all manufactured articles. The proceeds of all sales of such manufactured articles shall go into the general fund in the hands of said commissioners, to be used in carrying on said penitentiary and maintaining the convicts therein.

§ 33. The said commissioners shall be the custodians of all funds belonging to said penitentiary, whether arising from the avails of the labor of the convicts, the sales of manufactured articles, or appropriations made by the general assembly or otherwise; and all such money, when collected or received by the warden or other officer, shall be immediately paid over to them, and said commissioners shall, from time to time, pay over to said warden or his order, such sum or sums of money as they may deem requisite for the purpose of defraying the necessary expenses of said penitentiary, not, however, in such sums as to place in the hands of the warden more than the sum of five thousand dollars at any one time.

§ 34. The auditor of public accounts shall, from time to time, draw his warrant on the treasurer in favor of said commissioners, for such portions of any appropriations that shall be made by the general assembly, for the purpose of carrying on and maintaining said penitentiary, as shall, from time to time, become necessary for said commissioners to expend in and about carrying on and maintaining said penitentiary; but said commissioners shall not obtain said auditor's warrants on account of any such appropriation, faster than the same is actually required for the purposes aforesaid. Such warrants of the auditor shall be paid by the treasurer to said commissioners, or their order, out of any funds in the treasury applicable thereto. Said commissioners shall make to the auditor, on the first day of each month, a detailed statement of all moneys received and expended during the preceding month, and accompany such report with proper vouchers of all such expenditures—duplicates of such vouchers to be retained by said commissioners at the penitentiary. They shall at the same time file with said auditor an estimate of the probable receipts and expenditures of said penitentiary for the succeeding month,

Custodian of funds.

Auditor to draw warrants in favor of commissioners.

Commissioners to report to auditor.

and shall pay over to the state treasurer all moneys then in their custody belonging to said penitentiary, not necessary for defraying said estimated expenditures for the month next succeeding, and the funds so paid in shall be kept separate from other funds in the state treasury, and shall be subject to the order of said commissioners, on the warrant of the auditor in the same manner as appropriations made by law.

Convicts not to be punished by whipping.

§ 35. It shall not be lawful in said penitentiary to punish any convict by whipping in any case whatever. If, in the opinion of the warden, it shall be deemed necessary in any case to inflict unusual punishment, in order to produce the entire obedience or submission of any convict, said warden shall have power to punish such convict by solitary confinement in a dark cell, and by deprivation of food, except bread and water, until such convict shall be reduced to submission and obedience.

Officers to resist violence of convicts.

§ 36. Whenever several convicts combined, or any single convict shall offer violence to any officer or guard of the penitentiary, or to any convict, or do or attempt to do any injury to any building or workshops, or any appurtenances thereof, or shall attempt to escape, or shall disobey or resist any lawful command, the officers of the penitentiary shall use all suitable means to defend themselves, to enforce the observance of discipline, to secure the persons of the offenders, and to prevent such attempted violence or escape; and if the guards employed in said penitentiary, or any of them, should, in the attempt to prevent the escape of any convict, or in attempting to retake any convict who has escaped, or in attempting to prevent or suppress a riot, revolt, mutiny or insurrection, take the life of a convict, such guard shall not be held responsible therefor, unless the same was done unnecessarily or wantonly.

Commissioners may employ foremen, etc.

§ 37. In case the labor of said convicts, or any portion thereof, shall be employed in manufacturing or other business, in behalf of the state, it shall be lawful for said commissioners to employ all such artisans and foremen as shall be necessary for conducting such business, and the same shall be paid such sum as said commissioners shall determine.

Crimes committed by convicts to be tried in Will county.

§ 38. The several courts of Will county having criminal jurisdiction shall take cognizance of all crimes committed within said penitentiary by the convicts therein confined, and said courts shall try and punish all such convicts charged with such crimes, in the same manner and subject to the same rules and limitations as are now established by law in relation to other persons charged with crimes in said county; but in case of conviction the sentence of said convict shall not commence to run until the expiration of the sentence under which he is then held in confinement in said penitentiary: *Provided*, that in case such convict shall be

sentenced to punishment by death, such sentence shall be executed at such time as the court shall fix, without regard to the sentence under which such convict may be held in said penitentiary.

§ 39. It shall be the duty of the said commissioners to report to the general assembly, from time to time, such amendments to this act as in their judgment shall be necessary in order to secure the best, most economical and safest administration of the affairs of said penitentiary.

Commissioners to report all amendments of law to general assembly.

§ 40. The act of the general assembly entitled "An act to lease the penitentiary," approved February 27, 1867, and an act entitled "An act supplementary to an act entitled 'an act to lease the penitentiary,'" approved March 5, 1867, are hereby repealed. So much of an act entitled "An act to enable the governor to appoint a warden and to provide for the government and discipline of the state penitentiary," approved March 6, 1867, as authorizes the appointment of a warden of said penitentiary, and all parts of said act inconsistent with this act, are hereby repealed.

Former acts repealed.

§ 41. The office of commissioners created by section five of an act entitled "An act to make additional provisions for the penitentiary," approved February 19, 1861, is hereby vacated and abolished, and the penitentiary commissioners to be appointed under this act shall supersede the commissioners appointed under the section aforesaid, and said last named commissioners are hereby required to surrender to the commissioners to be appointed under this act all the books, papers, plans, specifications and property, belonging to the state, in their custody or under their control, at the first meeting of said new commissioners.

Office of commissioners under former act abolished.

§ 42. The said commissioners appointed under this act shall possess all the powers and perform all the duties of the commissioners appointed under the section aforesaid, so far as the same are not inconsistent with this act. Said commissioners heretofore appointed under said section five of the act aforesaid, shall however hold their office until the commissioners provided for by this act shall be duly appointed and qualified.

Powers and duties of commissioners.

§ 43. The said commissioners shall appropriate a sum not exceeding seven hundred and fifty dollars, to be expended by the warden, under their direction, for the purchase of suitable books for the use of the prisoners, and for the increase and preservation of the library of the penitentiary, and of which the chaplain shall have charge as librarian.

Books to be purchased by warden.

§ 44. It shall be the duty of said commissioners immediately on taking possession of said penitentiary, to make provision for temporarily supplying the convicts therein with food, clothing, bedding, and other necessities, until permanent arrangements shall be made by them for obtaining such supplies for said convicts.

Temporary provision for convicts.

Chaplain to
read rules to
prisoners.

§ 46. It shall be the duty of the chaplain to read to the convicts, at least once in each week, the rules and regulations of the penitentiary, so far as the same relate to such convicts, and to make such explanations of the same as he shall deem proper.

Insane prisoners to be removed to Jacksonville.

§ 46. If any case of insanity shall occur in said penitentiary, such insane person shall at once be removed to the insane hospital at Jacksonville, at the expense of the state; and should said patient recover before his or her time of imprisonment shall expire, he or she shall be returned to said penitentiary; and it is hereby made the duty of the superintendent of the said hospital for the insane to receive into said hospital and treat all such insane convicts, as in other cases of insanity.

§ 47. All laws or parts of laws inconsistent with this act are hereby repealed, and this act shall take effect and be in force from and after its passage.

APPROVED June 28, 1867.

In force June
28, 1867.

AN ACT to provide for paying the expenses of carrying on and maintaining the Illinois State Penitentiary at Joliet.

Appropriation
for carrying
on penitentiary

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That for the purpose of carrying on and maintaining the Illinois State Penitentiary located at Joliet, in the county of Will, and of defraying the expenses of feeding, clothing and employing the convicts therein confined in accordance with the provisions of the act of the general assembly passed at the present session entitled "An act to provide for the management of the Illinois State Penitentiary at Joliet," the sum of three hundred thousand dollars be and the same is hereby appropriated out of any money in the treasury; which sum of money, or so much thereof as may be necessary, shall be drawn from the treasury in the manner and subject to the limitations prescribed in the act above mentioned.

Deficiencies—
how provided
for.

§ 2. That to meet any deficit in the revenue fund, whenever the same shall be insufficient for the purposes of this act, the governor, auditor and treasurer are hereby authorized to issue bonds of the state of Illinois and sell or dispose of the same at the best price to be obtained therefor, in money, at not less than par, the proceeds of which sale shall be used in payment of the appropriations made by

this act. The amount of bonds so issued and sold shall not exceed the sum of fifty thousand dollars in the aggregate, and the same may be issued on the blanks prepared for the issue of refunded stock pursuant to an act entitled "An act in relation to the payment of the principal and interest of the state debt," approved February 22, 1859, and shall bear six per cent. interest, payable semi-annually, and reimbursable at the pleasure of the state after the year A. D. 1867; said bonds shall be entitled to be purchased by the governor or redeemed in the same manner as other bonds of the state.

§ 3. That whenever the amount of the revenue funds in the treasury shall be insufficient to meet the warrants of the auditor drawn for the purposes mentioned in this act, the treasurer shall borrow from other funds then remaining in the treasury an amount sufficient to pay such warrants; and the warrants of the auditor so paid by the treasurer, shall be a sufficient voucher to him in the settlement of his accounts. Any sum so borrowed shall be returned to its appropriate fund by the treasurer as soon as may be practicable.

Treasurer to
borrow money
in certain case

§ 4. This act shall take effect and be in force from and after its passage.

APPROVED June 28, 1867.

AN ACT in relation to the crime of Larceny.

In force June
28, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That in all cases of conviction for larceny in any of the courts of this state, no person shall be punished by confinement in the penitentiary unless the property stolen shall be found, by the jury, to be of the value of fifteen dollars; but in all cases when the value of the property stolen shall be found by the jury to be less than fifteen dollars, the person convicted shall be punished by confinement in the county jail for any term not exceeding one year, and by a fine not exceeding one hundred dollars. And that in case of a second conviction of the offense of petty larceny by any person over the age of eighteen years, the punishment shall be by confinement in the penitentiary for a term not exceeding three years, and on the trial under an indictment for petty larceny, a duly certified copy of the record of a former conviction and judgment of any court of record in this state for a like offense against the party indicted, shall be *prima*

Larceny—how
punished.

Second conviction—how punished.

Proviso.

facie evidence of such former conviction, and may be used in evidence against such party : *Provided*, that such former conviction and judgment shall be set forth in apt words in the indictment.

§ 2. This act shall take effect and be in force from and after its passage, and shall apply to all cases then pending.

APPROVED June 28, 1867.

PUBLIC LAW

PASSED AT THE REGULAR SESSION OF THE TWENTY-FIFTH
GENERAL ASSEMBLY.

AN ACT relative to mining for lead ore or other minerals.

In force Feb'y
21, 1867.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That every corporation, company, association of persons or other party now engaged in mining for lead ore or other minerals, or which may hereafter be engaged in operating or mining for lead ore or other minerals, whenever it is necessary for the purpose of prosecuting such mining enterprise to conduct or convey the water from any shaft, levels or land occupied by them for mining purposes, shall have the right and privilege of conducting and conveying the water therefrom, upon, over or below the surface of the lands of any owner or owners of lands adjoining or adjacent to the grounds so worked or to be used for mining purposes by such corporation, company, association of persons or other party, in pipes, ditches, water races or tunnels, and to deposit waste earth from their said mines, thereby doing as little damage or injury to the owner or owners of adjoining lands or the improvement thereon as the same will admit of, with the privilege of extending said pipes, ditches, water races or tunnels as far over adjacent lands as may be necessary to obtain a proper outlet for the water, upon complying with the provisions of this act.

Duties of corporate mining companies.

§ 2. Whenever such corporation, company or other party can not agree with the owner or owners of such adjoining lands upon the amount of damages for the right and privilege of conveying the water from any shaft, level or mining land aforesaid, such corporation, company or association of persons, or other party, may apply to the judge of the county court of the county where the land is situated for the appointment of three commissioners, to assess such damage. The judge of said county court, upon such application being made, shall appoint three disinterested freeholders, residents of his county, to act as commissioners, who, after being duly sworn for that purpose, shall proceed to make an examination of all the lands necessary and proper to be used by said company, corporation, association of

Damages, etc.

Commissioners.

persons, or other property in conducting or conveying the water from such shaft, level or mineral lands, and for depositing waste earth, as aforesaid, and also for such lands as may be overflowed or liable to overflow by reason of erecting, constructing and maintaining such pipes, ditches, tunnels or the keeping up and maintaining water-races upon said lands, and make an award, in writing, in which they shall award to the owner or owners of such land or lands the amount of damages to which such owner or owners of said land or lands shall be entitled, by reason of use of lands for waste earth and for the erection, construction and maintaining such pipes, ditches, tunnels or water-race, or that may be erected and maintained for the purpose of conveying the water from the same.

Damages.

Commissioners
—meeting of.

§ 3. Said commissioners shall meet within thirty days from the time of their appointment to make their examination and award, by virtue of this act, and shall have power to adjourn, from time to time, not exceeding two adjournments in all; and the owner or owners of such land shall be notified to appear before them, at the time and place of such meeting, and shall be entitled to be heard before said commissioners in regard to the amount of damages by them sustained or liable to be sustained in consequence of the erecting, making and maintaining of such pipes, ditches, tunnels or water-races, and depositing waste earth, as aforesaid. Such notice shall, at least six days before such meeting, be served personally or by leaving a copy thereof at the residence of the owner or owners of such land aforesaid: *Provided*, such owner or owners reside in the county where said lands are situated; and in case such owner or owners are non-residents of the county, then such notice shall be served upon their attorney or agent, if they have any in such county, and if there is no such agent or attorney in the county then such notice shall be published in a newspaper printed in said county for at least three weeks before the meeting of said commissioners.

Serving notice.

Decisions and
awards.

§ 4. The decision and award of said commissioners shall be final, unless appealed from as provided for in this act; and the said award, together with due proof of the notice or notices upon the owner or owners of said land, or upon their attorney or agent, as provided for in this act, shall be filed in the office of the clerk of the circuit court of the county wherein the award is made, shall be *prima facie* evidence of the regularity of said proceedings; and at the next term of the circuit court of the proper county, upon motion made by any party interested therein, a judgment may be entered up and execution issued to the same effect and in the same manner as judgments are entered, executions issued upon actions of civil nature commenced and tried in the circuit court.

§ 5. Any corporation, company, association of persons, Appeals.
or other party considering themselves aggrieved by the
award of said commissioners, may appeal therefrom, within
twenty days from the time of filing said award, to the cir-
cuit court of the proper county, in the same manner as is
provided by law for appeals from judgments of a justice of
the peace. Said commissioners shall be entitled to receive
two dollars per day, each, for their services as such com-
missioners, which shall be paid by such corporation, com-
pany or party.

§ 6. And it is hereby expressly provided, that the pipes, Use of property
ditches and water-races or tunnels laid, excavated or con-
structed by virtue of the provisions of this act, shall, under
no circumstances, be used by the owners of the lands through
which they may be laid or constructed or by any other per-
son or persons, for any purpose whatsoever other than the
drainage of the lands; and no person or persons whatsoever
shall be authorized to enter the same, except for the purpose
of repairing, altering, extending or otherwise improving the
same, without the written consent of the parties interested
first had and obtained.

§ 7. This act shall take effect and be in force from and
after its passage.

APPROVED February 21, 1867.

DEPARTMENT OF STATE, SPRINGFIELD, ILLINOIS,

September 1, 1867.

I, Sharon Tyndale, secretary of state of the state of Illinois, do hereby
certify that the foregoing printed laws are true and perfect copies of the
enrolled laws on file in this office, with the exception of the words printed
in brackets thus, [].

In testimony whereof I hereunto set my hand, the day and year afore-
said.

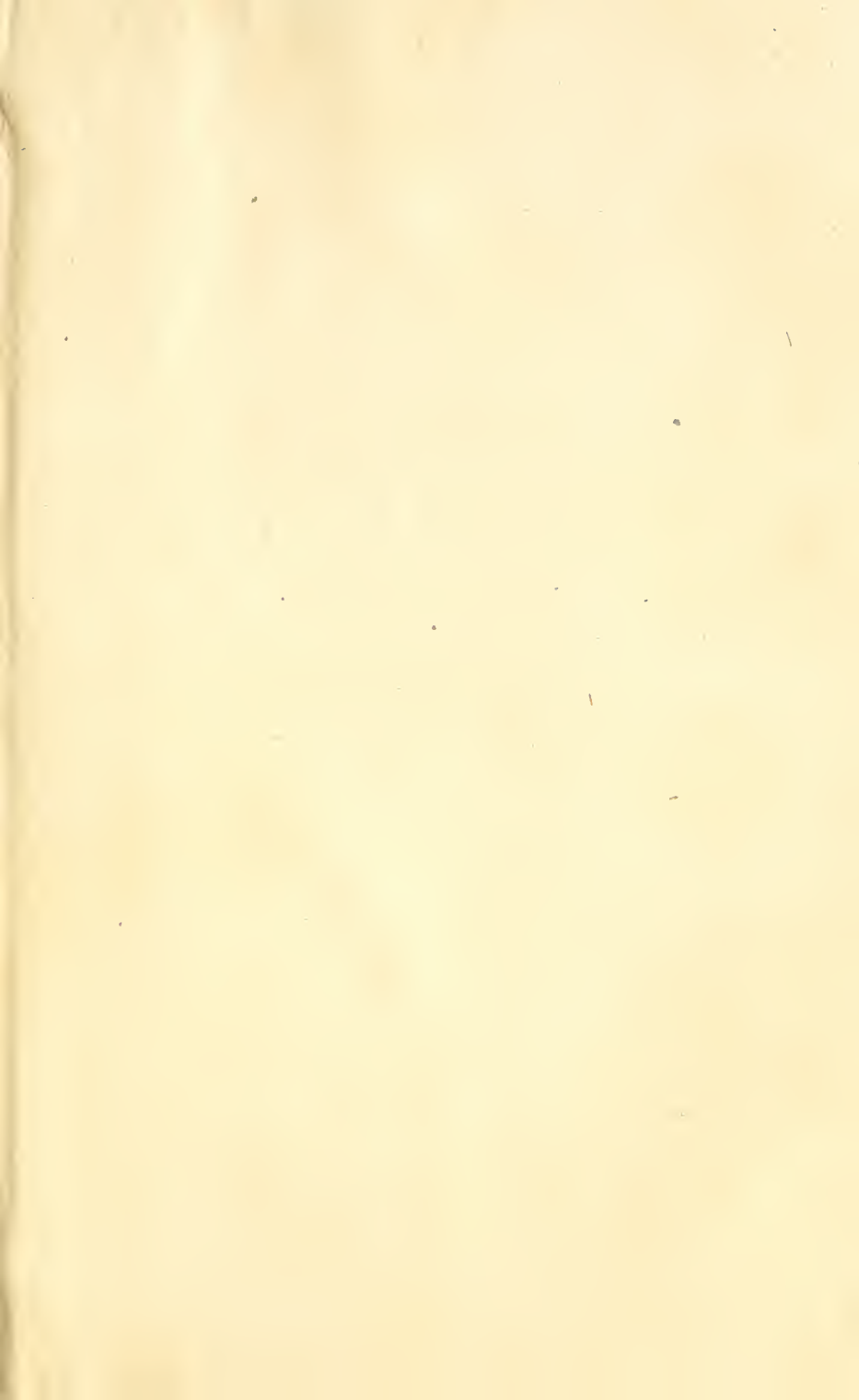
SHARON TYNDALE,

Secretary of State.

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